



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Jeffry G. Weers et al.)	Atty. Docket No.: 0190.00
)	
)	Examiner: Unassigned
)	
Application No.: 10/751,342)	Group Art Unit: 1614
)	
Filed: December 31, 2003)	
)	
Title: AEROSOLIZABLE)	
PHARMACEUTICAL FORMULATION)	
FOR FUNGAL INFECTION THERAPY)	

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450 Alexandria, Virginia 22313-1450 on 17 FEB 05

Signed: Minna Cottle

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56, §1.97 and §1.98

Assistant Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

The references listed in the attached Forms PTO/SB/08A and B may be material to examination of the above-identified patent application. Applicants submit these references in compliance with their duty of disclosure pursuant to 37 CFR §§1.56, 1.97, and 1.98. The Examiner is requested to make these citations of official record in this application.

This Information Disclosure Statement is not to be construed as a representation that a search has been made, that additional information material to the examination of this application does not exist, or that these references indeed constitute prior art.

Copies of the references are enclosed, as required under 37 CFR §§1.98. Applicants note that U.S. Published Application No. 2002/187106 and WO 02/054868, both submitted herewith, were cited in an International Search Report, also submitted herewith, issued in connection with

Attorney Docket No. 0197.00

International Application No. PCT/US03/41688. The Examiner is referred to the International Search Report for an indication of the relevance given by the International Examiner to the cited documents relative to the claims of the International Application.

This Information Disclosure Statement is being timely filed under 37 CFR §§1.97 and is being filed:

- ☒ within three months of the filing date of a national application or an RCE; within three months of the date of entry of the national stage as set forth in section 1.491 in an international application; or before the mailing date of a first Office action on the merits (whichever event occurs last);
- ☐ Please charge the amount of \$___ to Deposit Account 500348
- ☒ If it is determined that any additional fees are due, the Commissioner is hereby authorized to charge such fees to Deposit Account 500348.

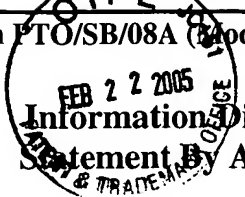
Respectfully submitted,

NEKTAR THERAPEUTICS

Dated: 2/17/05

By: Steven J. Hehner
Steven J. Hehner
Reg. No. 40,475

San Carlos, CA 94070
(650) 631-3100

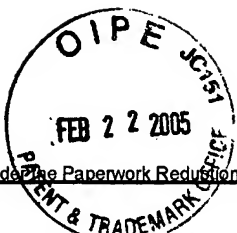
 Form PTO/SB/08A (Modified) Information Disclosure Statement By Applicant (Use Several Sheets if Necessary)	Atty Docket No.: 0190.00	Application No.: 10/751,342
	Applicant: Jeffry G. Weers et al.	
	Filing Date: 12/31/2003	Group: 1614

U.S. Patent Documents

Examiner Initial	Patent No.	Date	Patentee	Class	Sub-Class	Filing Date
	2002/0017295	02/14/2002	Weers et al.			
	2002/0177562	11/28/2002	Weickert et al.			
	2002/0187106	12/12/2002	Weers et al.			
	2004/0105820	06/03/2004	Weers et al.			
	2004/0156792	08/12/2004	Tarara et al.			
	3,991,761	11/16/1976	Cocozza			
	4,069,819	01/24/1978	Valentini et al.			
	4,114,615	09/19/1978	Wetterlin			
	4,247,066	01/27/1981	Frost et al.			
	4,338,931	07/13/1982	Cavazza			
	4,846,876	07/11/1989	Draber et al.			
	4,995,385	02/26/1991	Valentini et al.			
	5,458,135	10/17/1995	Patton et al.			
	5,619,985	04/15/1997	Ohki et al.			
	5,785,049	07/28/1998	Smith et al.			
	5,855,913	01/05/1999	Hanes et al.			
	5,858,410	01/12/1999	Muller et al.			
	5,874,064	02/23/1999	Edwards et al.			
	5,976,574	11/02/1999	Gordon			
	5,985,248	11/16/1999	Gordon et al.			
	5,985,309	11/16/1999	Edwards et al.			
	6,001,336	12/14/1999	Gordon			
	6,051,256	04/18/2000	Platz et al.			
	6,077,543	06/20/2000	Gordon et al.			
	6,257,233	07/10/2001	Burr et al.			
	6,357,490	03/19/2002	Johnston et al.			
	6,358,530	03/19/2002	Eljamal et al.			
	6,372,258	04/16/2002	Platz et al.			
	6,503,480	01/07/2003	Edwards et al.			
	6,546,929	04/15/2003	Burr et al.			

Examiner:	Date Considered:
------------------	-------------------------

Examiner: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



1fw

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	10/751,342
Filing Date	December 31, 2003
First Named Inventor	Jeffrey G. Weers et al.
Art Unit	1614
Examiner Name	Unassigned
Attorney Docket Number	0190.00

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	47 Cited References and International Search Report
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		
<input type="text"/> Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	NEKTAR THERAPEUTICS		
Signature	<i>Steven J. Helmer</i>		
Printed name	Steven J. Helmer		
Date	2/17/05	Reg. No.	40,475

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature	<i>Minna Cotter</i>		
Typed or printed name	Minna Cotter	Date	17 FEB 05

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.